

REMARKS

Applicants respectfully request that the above-identified application be re-examined. Claims 1-67 and 82-85 have been canceled without prejudice to the filing of divisional applications.

The May 7, 2007, Office Action ("Office Action") rejected all of the remaining claims in this application (Claims 68-81) under 35 U.S.C. § 112 with the comment that the terminology "('premium telephone communication link')," included in the only independent claim remaining in this application (Claim 68), is not clear when juxtaposed with four words immediately preceding it. While applicants disagree, in order to advance the prosecution of this application, the terminology "('premium telephone communication link')" has been deleted. Claim 68 has been amended to make it clear that a premium telephone number communication link is established by using a premium telephone number. Various of the dependent claims have been amended to maintain claim language consistency with this amendment.

The May 7, 2007, Office Action also rejected Claims 68-81 under 35 U.S.C. § 103(a) as being unpatentable in view of the teaching of U.S. Patent No. 7,051,072 (Stewart et al.) taken in view of the teachings of U.S. Patent No. 5,978,775 (Chen). Applicants submit that this rejection is in error because the effective filing date of the present application clearly precedes the earliest potential filing date of Stewart et al. More specifically, the present application, which was filed on January 5, 2001, is a continuation of U.S. Patent Application No. 09/299,156, filed April 22, 1999, which in turn is a continuation-in-part of U.S. Patent Application No. 09/064,797, filed April 22, 1998. In contrast, Stewart et al. is a divisional of U.S. Patent Application No. 09/788,150, filed February 16, 2001, and Provisional Application No. 60/258,804, filed December 29, 2000. Both of the priority dates of the Stewart et al. patent are clearly well after the filing date of the parent of the present application (Application No. 09/299,156, filed

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April 22, 1999) as well as the filing date of the grandparent of the present application (No. 09/064,797, filed April 22, 1998). The filing date of the Stewart et al. patent application (No. 09/788,150) -- February 16, 2001 -- is after the filing date of the present application -- January 5, 2001. The filing date of the provisional application whose benefit Stewart et al. claims (No. 60/258,804) even if it provides support for the portion of Stewart et al. relied on in the Office Action (which support applicants have not evaluated and, thus, deny for lack of information) is after the filing date of the parent of the present application (No. 09/299,156) -- April 22, 1999. Since Stewart et al. is clearly not an effective reference, applicants submit that the rejection of Claims 68-81 based on Stewart et al. and Chen is clearly in error and request that it be withdrawn.

Applicants note that the art cited in the information disclosure filed March 27, 2007, and received March 29, 2007, has not been reviewed. The failure to review the references is stated in the Office Action to be based on the fact that copies of none of the references, all of which are publications, were provided with the information disclosure statement. In this regard, as noted in the information disclosure statement, copies of these references were submitted in parent Application No. 09/299,156, filed April 22, 1999. In this regard, applicants direct attention to 37 C.F.R. § 1.98(d)(1) and (2), which reads as follows:

(d) A copy of any patent application, pending U.S. application or other information as specified in paragraph (a) of this section, listed in an information disclosure statement is required to be provided, even if the patent, publication, pending U.S. application or other information was previously submitted to, or cited by, the office in an earlier application unless:

(1) the earlier application is properly identified in the information disclosure statement and is relied on for an effective filing date under 35 U.S.C. 120; and

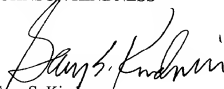
(2) the information disclosure statement submitted in the earlier application complies with paragraphs (a) through (c) of this section.

Applicants submit that, because both of the foregoing conditions have been met, applicants are not required to submit additional copies of the cited references. Applicants request that the Examiner retrieve the references from prior Application No. 09/299,156 and consider them.

In view of the foregoing comments, applicants respectfully submit that this application is clearly in condition for allowance. Consequently, early and favorable action passing this application to issue is respectfully solicited.

Respectfully submitted,

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